

ORIGINAL

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VINCENT J. CURTIS, JR.  
THOMAS J. DOUGHERTY, JR.  
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RICHARD HILDRETH  
EDWARD W. HUMMERS, JR.  
FRANK R. JAZZO  
BARRY LAMBERGMAN  
PATRICIA A. MAHONEY  
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ROBERT D. PRIMOSCH  
LEONARD R. RAISH  
JAMES P. RILEY  
DAVID N. ROBERTS  
MARVIN ROSENBERG  
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\*ADMITTED IN TEXAS ONLY

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(1936-1981)

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ROBERT L. HEALD  
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July 8, 1992

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VIDEO SERVICES

Federal Communications Commission  
Office of the Secretary

VIA HAND DELIVERY

Ms. Donna R. Searcy  
Secretary

Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20036

Re: BPET-900904KF  
Bakersfield, California

Dear Ms. Searcy:

Transmitted herewith on behalf of Valley Public Television.

**BEFORE THE**

**JUL - 8 1992**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In re Application of

**VALLEY PUBLIC TELEVISION, INC.**

**File No. BPET-900904KF**

For Construction Permit for a  
New Noncommercial Educational  
Television Station on Channel \*39  
Bakersfield, California

**Directed to: Chief, Mass Media Bureau**

## PETITION FOR LEAVE TO AMEND

Valley Public Television, Inc. (Valley), by its attorneys, hereby respectfully petitions, pursuant to Section 73.3522(a)(2) of the Commission's Rules, for leave to amend its above-captioned application to include an amendment filed simultaneously herewith, a copy of which is included herein. In support whereof, the following is submitted:

This amendment is submitted pursuant to Section 1.65 of the Commission's Rules. It reports changes to information previously reported for the officers, directors, and governing board of Valley, including the addition of a new director, Jerry Prieto, who has replaced Michael Cardenas.

The amendment is also submitted pursuant to Section 73.3514 of the rules. It supplies information requested in FCC Form 340, including information about Mr. Prieto. Also, the percentages of voting control held by each voting member of the Valley Board of

Directors is supplied, pursuant to Section 73.3514.<sup>1</sup> In this respect, there is no substantive change, since Valley previously reported the fact that each of the nine voting members of the board has one vote. This amendment simply reflects the fact that, since each of the nine voting members of the Board has one vote, each voting member has 11.11% of the total votes.

This amendment also reports the status of two television translator applications filed by Valley.

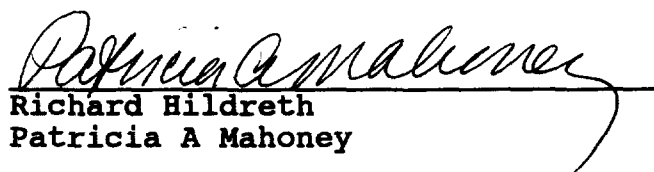
Good cause exists for acceptance of this amendment, which reports and supplies information required by the Commission's Rules. See, e.g., RKO General, Inc., 31 F.C.C.2d 919 (1971).

WHEREFORE, for the foregoing reasons, it is respectfully requested that the amendment submitted herewith be accepted.

Respectfully submitted,

VALLEY PUBLIC TELEVISION, INC.

By:

  
Richard Hildreth  
Patricia A Mahoney

Its Attorneys

FLETCHER, HEALD & HILDRETH  
1225 Connecticut Avenue, N.W.  
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July 8, 1992

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<sup>1</sup> The percentages are supplied as requested in the table on page 3 of Form 340.

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AMENDMENT

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

The application of Valley Public Television, Inc. (VPT), for authority to construct and operate a new noncommercial, educational television station on Channel \*39, Bakersfield, California (FCC File No. BPET-900904KF), is hereby amended to report the election of Jerry Prieto, Jr., as a Director on the Board of VPT, replacing Michael Cardenas, and to include the attached materials.

The application is also amended to report that the application

[REDACTED]

## Section II - LEGAL QUALIFICATIONS

Name of Applicant

Valley Public Television, Inc.

1. Applicant is: (check one box below)

- ☐ (a) governmental or public educational agency, board or institution
- ☐ (b) private nonprofit educational institution
- ☒ (c) Other (specify)

2. For applicants 1(c) only, describe in an Exhibit the nature and educational purposes of the applicant.

Exhibit No.  
A

3. For applicants 1(c) applying for a new noncommercial educational television station only, describe in an Exhibit how the applicant's officers, directors and members of its governing board are broadly representative of the educational, cultural and civic segments of the principal community to be served.

Exhibit No.  
B

4. Describe in an Exhibit how the proposed station will be used, in accordance with 47 C.F.R. Section 73.503 or Section 73.621, for the advancement of an educational program.

Exhibit No.  
1

5. Is there any provision contained in any by-laws, articles of incorporation, partnership agreement, charter, statute or other document which would restrict the applicant in advancing an educational program or complying with any Commission rule, policy or provision of the Communications Act of 1934, as amended?

☐ Yes ☒ No

If Yes, provide particulars in an Exhibit.

Exhibit No.  
N/A

### CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

6. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction B to Section II.)

☐ Yes ☒ No

(b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

☐ Yes ☒ No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No.

7. (a) Has an adverse finding been made or an adverse final action taken by any court or administrative body with respect to the applicant or parties to the application in a civil or criminal proceeding, brought under the provisions of any law related to the following: any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?

☐ Yes ☒ No

(b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above?

☐ Yes ☒ No

If the answer to (a) and/or (b) above is Yes, attach as an Exhibit a full disclosure of the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 U.S.C. Section 1.65(c) in the case of adjudicated proceedings, the applicant need only provide: (i) an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or Section 1.65 information was filed, and the date of filing; and (ii) a description of the current status or disposition of the previously reported matter.

Exhibit No.

PARTIES TO APPLICATION

8. Complete the following Table with respect to all parties to this application:

(NOTE: If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.)

INSTRUCTIONS: If applicant is a corporation or an unincorporated association with 50 or fewer stockholders, stock subscribers, holders of membership certificates or other ownership interests, fill out all columns, giving the information requested as to all officers, directors and members of governing board. In addition, give the information as to all persons or entities who are the beneficial or record owners of or have the right to vote capital stock, membership or ownership interests, or 25% subscribers to such interests. If the applicant has more than 50 stockholders, stock subscribers or

## PARTIES TO APPLICATION

8. Complete the following Table with respect to all parties to this application:

(NOTE: If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.)

INSTRUCTIONS: If applicant is a corporation or an unincorporated association with 50 or fewer stockholders, stock subscribers, holders of membership certificates or other ownership interests, fill out all columns, giving the information requested as to all officers, directors and members of governing board. In addition, give the information as to all persons or entities who are the beneficial or record owners of or have the right to vote capital stock, membership or ownership interests or are subscribers to such interests. If the applicant has more than 50 stockholders, stock subscribers or holders of membership certificates or other ownership interests, furnish the information as to officers, directors, members of governing board, and all persons or entities who are the beneficial or record owners of or have the right to vote 1% or more of the capital stock, membership or ownership interests. If applicant is a governmental or public educational agency, board or institution, fill out columns (a), (b), and (c) as to all members of the governing board and chief executive officers.

Name and Residence Address(es)  (a)	Office Held  (b)	Director or Member of Governing Board		% of: Ownership (O) or Voting Stock (VS) or Membership (M)  (c)
		YES	NO	
Franklin Gindick 530 Ranch Road Visalia, CA 93291	Director	X		11.11% (M)
Ernie Poore 1454 W. Warner Fresno, CA 93711	Director	X		11.11% (M)
Applicant is a non-stock corporation. Each Director has one vote. The Chairperson of Valley's Community Advisory Board also serves as a non-voting, ex-officio member of Valley's Board of Directors.				

## **JERRY PRIETO, JR.**

### **BIOGRAPHY**

#### **WORK EXPERIENCE**

- June 1974 to January 1979 - Agricultural Inspector, Fresno County Department of Agriculture - (Assignments included coordinating agricultural inspection with the County of Kern in Bakersfield, CA)
- January 1979 to May 1980 - Supervising Agricultural Biologist, Fresno County Department of Agriculture
- May 1980 to October 1989 - Deputy Agricultural Commissioner/Sealer, Fresno County Department of Agriculture - (Assignments included coordination of regulatory laws with the agricultural sector of the County of Kern in Bakersfield, CA)
- October 1989 to Present - Senior Personnel Analyst, Personnel Management Division, County of Fresno

#### **EDUCATION**

- B.S. in Agricultural Plant Science from California State University, Fresno
- Pursuing a Master's Degree in Public Administration from California State University, Fresno

#### **PROFESSIONAL LICENSE**

- Agricultural Commissioner license issued by State of California

#### **PROFESSIONAL ORGANIZATIONS/CIVIC INVOLVEMENT**

- Valley Public Television, Inc. - Director
- Discovery Center - Director
- San Joaquin Valley Pesticide Deputy Commissioner Association - Charter Member  
(Includes Fresno and Kern Counties)
- "Fresno Compact" Entry Level Skills Committee (of Fresno County/City Chamber of Commerce) - Member
- Industry Education Group (of Fresno County/City Chamber of Commerce) - Member
- "Leadership Fresno" - Graduate, Mentor Program Volunteer, Seminar Speaker
- Fresno County Hispanic Employees Association - Member
- School of Agriculture, California State University, Fresno - Guest Lecturer



**CERTIFICATE OF SERVICE**

I, Carroll Allman, a secretary in the law firm of Fletcher, Heald & Hildreth, do hereby certify that true copies of the foregoing "Petition for Leave To Amend" were sent this 8th day of July, 1992, by first-class United States mail, postage prepaid, to the following:

Theodore D. Frank, Esquire  
Arent, Fox, Kintner, Plotkin & Kahn  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5339  
Counsel for Community Television  
of Southern California

  
Carroll Allman